

9. This action has been filed to combat online counterfeiters who trade upon Plaintiff's reputation and goodwill and valuable intellectual property by selling and/or offering for sale unauthorized and infringing versions of the MILWAUKEE Products in violation of Plaintiff's federally registered trademarks.

10. Plaintiff Milwaukee has long engaged in the business of manufacturing and marketing in interstate commerce tools sold under the MILWAUKEE Trademarks. MILWAUKEE is a federally registered trademark of Milwaukee; Trademark Registration Nos. 2,624,843; 4,400,602; 4,534,864; 4,580,441; 4,861,744; 6,089,843; 6,089,844; 6,089,845; 6,175,446; 6,209,036; 6,369,616; and 7,676,072 (the "MILWAUKEE Marks").

Trademark	Registration No.	Goods and Services
MILWAUKEE	2,624,843	Maintenance and power tools, namely, hole shooters, screw shooters, screwdrivers, hammers, hammer drills, driver/drills, drill presses, magnetic drill presses, coring machines, sander/grinders, sanders, grinders, electric saws, circular saws, reciprocating saws, worm drive saws, cut-off machines, nut runners, nibblers, polishers, routers, impact wrenches, shears, drain cleaners, vacuum cleaners, and attachments therefor in Classes 013, 019, 021, 023, 031, 034, 035.
	4,534,864	Power tools, namely, drills, driver/drills, hammers and hammer drills, rotary hammers, screw drivers, right angle drills, ratchet wrenches, impact wrenches, impact drivers and attachments therefor; power-operated polishers, power-operated sander-grinders and grinders and attachments therefor; diamond core power drills, diamond core power drill bits, power-operated drill presses having a weight of 200 pounds or less and attachments therefor; electric saws, namely, circular saws, reciprocating saws, worm drive saws, band saws, miter saws, jig saws and cut-off machines, blades for power saws; power-operated metal cutting shears, power-operated nibblers, power-operated

Trademark	Registration No.	Goods and Services
		levels, i-beam levels, torpedo levels and utility levels; tape measures; rulers, namely, straight rulers and folding rulers in Classes 021, 023, 026, 036, 038; Flashlights in Classes 013, 021, 023, 031, 034; Clothing, namely, jackets, shirts, sweatshirts and hats; all the foregoing not relating to baseball or softball or to a baseball or softball team, league, mascot or stadium in Classes 022, 039
	6,209,036	Power tools, namely, power-operated sprayers and sprayer tanks; power-operated pipe threaders; power-operated fish tape for pulling cables in Classes 013, 019, 021, 023, 031, 034, 035
	6,369,616	Air compressors as in Classes 013, 019, 021, 023, 024, 031, 034, 035
M12	4,400,602	Power tools, namely, screwdrivers, rotary hammers, hammer drills, driver/drills, right angle drills, rotary tools, oscillating tools, expansion tools, grease guns, power saws, reciprocating saws, jig saws, band saws, palm nailers, impact wrenches, impact drivers, tubing cutters, powered shears, caulk guns, ratchet wrenches, cable cutters in Classes 013, 019, 021, 023, 024, 031, 034, 035
	4,861,744	Power tools, namely, screwdrivers, hammers, rotary hammers, hammer drills, driver/drills, right angle drills, ratchet wrenches, impact wrenches, impact drivers, rotary tools, oscillating multi-tools, expansion tools, grease guns, power saws, reciprocating saws, jig saws, circular saws, band saws, grinders, tubing cutters, cable cutters, powered shears and caulk guns in Classes 013, 019, 021, 023, 031, 034, 035

11. The MILWAUKEE Marks are famous, inherently distinctive and/or have acquired distinctiveness through extensive use in commerce.